

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

17691 U.S. PTO
 Mail Stop Patent Application
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Atty. Dkt.: 3589-56
 Date: March 24, 2004

17538 U.S. PTO
 10/807295

032404

Sir:

Attached for filing is the patent application of:

Inventor: HENLEY ET AL.

Entitled: ELECTROKINETIC DELIVERY OF MEDICAMENTS

and including attachments as noted below:

Newly executed Declaration, Copy of Declaration from prior application, Abstract

72 pages of specification and claims (including 147 numbered claims), and

15 sheets of accompanying drawing/s for Figures

Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

Application Number	Country	Day/Month/Year Filed
--------------------	---------	----------------------

, respectively, the entire content of which is hereby incorporated by reference in this application..

Certified copy(ies) of foreign application(s) is/are attached.

Certified copy(ies) filed on _____ in prior appln. no. _____ filed _____

This application claims the benefit of Provisional Application No. _____, filed _____, the entire content of which is hereby incorporated by reference in this application.

This application is a division of Application No. 10/245,337, filed September 18, 2002, which is a division of Serial No. 09/584,138 filed May 31, 2000, now U.S. Patent No. 6,477,410, the entire contents of which are hereby incorporated by reference in this application.

Petition filed in prior application to extend its life to insure co-pendency.

The prior application is assigned to Biophoretic Therapeutic Systems, LLC, Framingham, Massachusetts.

It is hereby requested that the Examiner consider the art cited in the parent application by applicant and/or the Examiner for the reasons stated therein. A listing of that art is attached.

Applicant claims "small entity" status. "Small entity" statement attached.

Please enter the attached preliminary amendment prior to calculation of filing fee:

Cancel claims 1-49, 51-98, 141, 148 and 149.

Also attached: Information Disclosure Statement; Non-Publication Request; Nucleotide and/or Amino Acid Sequence Submission; Statement deleting Inventor(s) named in prior application; Other: True copy of parent application and executed documents filed with that application.

FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY HEREWITH CANCELED

Basic Filing Fee	\$	770.00
Total effective claims 54 - 20 (at least 20) = 34 x \$ 18.00	\$	612.00
Independent claims 2 - 3 (at least 3) = 0 x \$ 86.00	\$	0.00
If any proper multiple dependent claims now added for first time, add \$290.00 (ignore improper)	\$	0.00
SUBTOTAL		\$ 1382.00
If "small entity," then enter half (1/2) of subtotal and subtract	\$	691.00
SECOND SUBTOTAL		\$ 691.00
Assignment Recording Fee (\$40.00)	\$	0.00
TOTAL FEE ENCLOSED		\$ 691.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension.

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

Correspondence Address:

Customer Number: **23117**

Telephone: (703) 816-4000

Facsimile: (703) 816-4100

RGB:pfc

NIXON & VANDERHYE P.C.

By Atty: Richard G. Besha, Reg. No. 22,770

Signature: Richard Besha